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10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

2:22-CR-00052-TOR-1

15 v.

16 JOHN I. SANGER,

17 Defendant.

United States' Sentencing
Memorandum

18 Plaintiff, United States of America, by and through Vanessa R. Waldref, United
19 States Attorney for the Eastern District of Washington, Patrick J. Cashman, Assistant
20 United States Attorney for the Eastern District of Washington, respectfully submits
21 the following Sentencing Memorandum. The United States recommends the Court
22 accepted the Fed. R. Crim. P. 11(c)(1)(C) plea agreement and sentence the Defendant
23 to a term of 24 months incarceration, followed by 3 years of supervised release. A
24 sentence of 24 months incarceration is a reasonable sentence that is no greater than
25 necessary to meet the interests of federal sentencing principles.

26 I. Background

27 The United States relies on the facts provided in the plea agreement and the
28 United States Probation Office's (USPO) Pre-Sentence Investigation Report (PSIR)

1 and Addendum. (ECF Nos. 232, 253). The United States reserves the ability to
2 present additional facts as necessary at the sentencing hearing to address any of the
3 Court's concerns.

4 II. Defendant's PSIR Objections

5 The Defendant did not file objections to the PSIR.

6 III. Departures

7 The United States submits the Court in accepting the terms of the Fed. R. Crim.
8 P. 11(c)(1)(C) will need to upward depart or vary.

9 IV. 18 U.S.C. § 3553(a)

10 When applying the 18 U.S.C. § 3553(a) factors, a sentence of 24 months and
11 three-years supervised release is appropriate. The United States submits, under the
12 circumstances of this case, a 24-month sentence is fair and no greater than necessary
13 to satisfy the interests of federal sentencing principles.

14 The nature and circumstances of this case warrant a 24-month sentence. The
15 Defendant's acts, both the substantive offense and relevant conduct pursuant to
16 U.S.S.G. § 1B1.3, throughout this case are serious and egregious. Like his co-
17 Defendants, the Defendant used his position to obtain a significant amount of military
18 ammunition for his own personal use. The Defendant's actions undermined the good
19 order and discipline of the force and seriously impacted the image of the United States
20 Air Force to the public. The actions of the Defendant, and his co-Defendants,
21 undermined the trust and confidence the taxpayers place in our servicemembers.
22 Additionally, the Defendant solicited and purchased an unregistered silencer from the
23 undercover agent.

24 However, the Defendant's actions in this case were far more egregious than
25 simply stealing ammunition and possessing an unregistered silencer. These actions
26 speak not only to the nature and circumstances but also to the Defendant's character.
27 As noted in the PSIR and the plea agreement, this investigation began due to the
28 Defendant's online comments advocating the use of violence to overthrow the

1 government and advance his political and white supremacist beliefs. ECF No. 253, ¶¶
2 16, 17. Following these comments, through an undercover agent, law enforcement
3 learned the Defendant was a danger much closer to home. The investigation revealed
4 the Defendant wanted to effect change by targeting critical infrastructure, including
5 the Spokane Health District building, COVID -19 testing facilities, and Planned
6 Parenthood. *Id.*, ¶¶ 21, 27, 28. At one point the Defendant explained that he did not
7 want to kill innocent people but wanted to inflict losses on facilities related to the
8 pandemic. However, subsequently indicated that killing some people is justified. *Id.*,
9 ¶¶ 24, 27. Consistent with that Defendant's stated intentions, the Defendant took
10 steps to surveil the COVID-19 testing site in Spokane, stating in a voicemail to the
11 undercover agent that he believed you could start a fire at the site through one of the
12 windows at the facility. *Id.* In addition to surveilling the COVID-19 testing site, the
13 Defendant also surveilled the Spokane Public Health building and Planned Parenthood
14 in Spokane. *Id.*, ¶ 27. Fortunately, the Defendant's plans never came to fruition and
15 no person or property were harmed. The Defendant's actions warrant a sentence of 24
16 months incarceration.

17 Turning to the Defendant's criminal history, the Defendant has no criminal
18 history aside from the current conviction and a corresponding conviction from the
19 United States Air Force. As a result of this investigation, Defendant was court-
20 martialed by United States Air Force for violating regulations prohibiting engaging in
21 extremist activities and received a bad-conduct discharge. However, the Defendant's
22 lack of criminal history does not sufficiently mitigate from the seriousness of his
23 actions and the danger the Defendant poses to the community. Therefore, the United
24 States maintains an appropriate sentence is 24 months incarceration.

25 Moreover, consideration of other 18 U.S.C. § 3553(a) factors also warrant a 24
26 month sentence. A sentence of 24 months incarceration is appropriate to protect the
27 public and meet the interests of general and specific deterrence. A sentence of 24
28 months will ensure the public knows engaging in criminal acts such as these are met

1 with significant consequences. There may be other educational and vocational
2 programming available in Bureau of Prisons for the Defendant. The Defendant does
3 not appear to suffer from alcohol or controlled substance addiction, therefore
4 rehabilitative programming of that nature would not be beneficial to the Defendant.

5 Additionally, the Defendant should be sentenced to a term of 3 years supervised
6 release. This will provide the Defendant the proper amount of supervision and
7 opportunity to obtained employment and services with the assistance of a USPO.

8 V. Conclusion

9 The case against the Defendant is much more than simply stealing ammunition
10 and possessing an unregistered silencer; it is an example of the danger to society and
11 public order an individual can become when siloed by their ideologies. The
12 Defendant took an oath to uphold the Constitution, our nation, and the protection of
13 all our citizens regardless of their color, gender, ethnicity, or religious beliefs.
14 Instead, the Defendant took the benefits of serving his country, while harboring a
15 hatred of the very people and ideals he swore to protect. *Id.*, ¶¶ 38, 27 (commenting
16 to co-Defendant Eagleton he liked meeting others who “hated the government and the
17 military” and commenting that most people who use Planned Parenthood are black).
18 Those that volunteer to protect our country are some of the best; however, when the
19 best are corrupted, whether by money, greed, or evil ideologies, their actions left
20 unchecked strike a terrible wound to our democracy. Accordingly, when considering
21 the totality of the nature, circumstances, and seriousness of the Defendant’s actions of
22 stealing ammunition and possessing an unregistered silencer and the characteristics of
23 the Defendant, a 24-month sentence of incarceration is just, reasonable, and
24 appropriate to reflect the gravity of the Defendant’s criminal acts.

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1 Accordingly, the United States recommends the Court impose a sentence of 24
2 months imprisonment followed by 3 years of supervised release.

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4 Dated: November 22, 2023.

5 Vanessa R. Waldref
6 United States Attorney

7 s/ Patrick J. Cashman
8 Patrick J. Cashman
9 Assistant United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Amy Rubin and J. Stephen Roberts

s/ Patrick J. Cashman

Patrick J. Cashman
Assistant United States Attorney